

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: THORSON, Jon
Serial No.: 10/670,073
For: GLYCORANDOMIZATION AND PRODUCTION OF NOVEL
VANCOMYCIN ANALOGS
Filed: September 24, 2003
Group Art Unit: 1645
Confirmation No.: 6781
Primary Examiner: PRATS, Francisco Chandler
Attorney Docket No.: 054030-0040

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being electronically transmitted, facsimile transmitted or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2006.

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SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

ELECTION OF SPECIES

In response to the communication of August 24, 2006 notifying the applicant that the Response to the Restriction Requirement filed May 1, 2006 was not fully responsive for failing to elect a species of non-ribosomal peptide, Applicant herein elects, with traverse, vancomycin, compound 33. The claims reading thereon being 27, 28 and 30-32. Specific examples of the use of vancomycin as a non-ribosomal peptide being glycosylated is found in the specification in Example 6 spanning pages 59-75. The election of species having now been made, Applicants respectfully request entry of the response to the Office Action previously filed May 1, 2006. Applicants submit, however, that the election is improper and should be withdrawn.